



## Resolution 2013-02

---

### **Commercial Motor Vehicle Speed Regulations** **Approved at the 62<sup>nd</sup> Annual General Meeting June 2013**

#### **Preamble:**

Current legislation does not address the speed of commercial motor vehicles (CMV's) on roadways other than 400 series highways where the speed limiter legislation is applied. The majority of our provincial highways have a posted speed limit of 80 km/hr; therefore, the CMV speed limiter of 105 km/hr still allows CMV's to travel up to 25 km/hr over the posted speed limit. The concept of treating CMVs different from passenger vehicles is not new. Already, separations exist in the *Highway Traffic Act* with regards to brakes, tires and other mechanical components.

**WHEREAS** a driver of a passenger vehicle is treated the same as a driver of a fully loaded dump truck with regards to section 128 of the *Highway Traffic Act* (HTA), where the owner of the CMV is treated more severely than the driver. When a driver of a CMV receives a speeding charge of 15 km/hr over the posted speed limit, there are no demerit points to the driver while the owner receives two CVOR points, and

**WHEREAS** available data obtained from the Ministry of Transportation (MTO) in relation to CVOR registered vehicles charged under section 128 HTA shows that in 2010 there were 8,200 charges issued and in 2009 there were 8,600 charges issued, and

**WHEREAS** data indicates that in 2005 there were 398 reportable collisions involving CVOR vehicles, 316 in 2006 and in 2007, there were 441 reported. Where the collision involved a fatality, in 98 percent of the cases the deceased was an occupant in the passenger vehicle, and

**WHEREAS** roadways, considered rural roads, with a posted speed limit of 60km/hr or more accounted for 78 percent of all fatal collisions involving heavy trucks. 49.5 percent of all personal injury collisions involved the same classes of vehicles. One-way traffic roadways accounted for only 1.4 percent of fatal collisions and 3.4 percent of personal injury collisions where heavy trucks were involved, and

**WHEREAS** there is considerable difference in stopping distances between a passenger vehicle versus a 4-axle commercial vehicle; dump truck. It is estimated that the CMV takes approximately twice as long to stop as the passenger vehicle when traveling at the same speed:

- 60 km/hr the passenger vehicle stops in 30 metres while the dump truck stops in 58 metres;

- When the speed was increased to 80 km/hr, the distance also increased for the passenger vehicle to 48 metres and for the truck, 95 metres;
- At 100 km/hr the passenger vehicle manages to stop in 70 metres however, the truck required 140 metres to stop.

**WHEREAS** public safety is paramount, thus slower speeds for commercial vehicles would decrease the severity of collisions thus reducing the potential for serious injury or death.

**THEREFORE BE IT RESOLVED** the Ontario Association of Chiefs of Police calls on the Government of Ontario to change to the Highway Traffic Act as it relates to speed of commercial motor vehicles (9CMV) on the roads and sets out definitions with respect to vehicle types and suggests that these vehicles that fall within licence classes A, B, C, D be treated differently than those of other licence classes, and

**BE IT FURTHER RESOLVED** the Ontario Association of Chiefs of Police calls on the Government of Ontario to specify that a commercial vehicle with a registered gross weight or actual weight in excess of 11,000 kgs or that is towing a vehicle where the combined weight of the towed vehicles exceeds 4600 kgs or by means of a bus with a designated seating capacity of greater than 24 passengers all fall within this criteria, and

**BE IT FURTHER RESOLVED** the Ontario Association of Chiefs of Police calls on the Government of Ontario to communicate potential changes to the public based on public/highway safety, positive environmental and health care impacts (societal costs), and industry cost savings.